

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

RUSSELL OEHRING,  
*Plaintiff,*

-vs-

SPIKE BREWING, LLC, et. al.,  
*Defendants.*

**CIVIL NO. 6:19-CV-00444-JCM**

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**ORDER**

A videoconference was held in the above captioned matter on October 28, 2020 regarding Defendant Spike Brewing, LLC's Motion for Relief on the Sequence of the Deposition of Plaintiff ("Spike Brewing's Motion," ECF No. 63). Accordingly, **IT IS HEREBY ORDERED** that Spike Brewing's Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

- Spike Brewing's Motion is **GRANTED IN PART** with respect to Spike Brewing's request that Plaintiff Russell Oehring be required to present for deposition prior to the deposition of Mr. Ben Caya on behalf of Spike Brewing, LLC.
- Spike Brewing's Motion is **DENIED IN PART** with respect to Spike Brewing's request that Mr. Ben Caya's deposition be taken as solely a Rule 30(b)(6) deposition. Mr. Caya may be deposed in both his individual capacity and in a corporate representative capacity; these depositions need not take place at the same time.

Finally, **IT IS FURTHER ORDERED** that any party that has not completed the Notice and Statement Regarding Consent to United States Magistrate Judge form complete and file the form on or before the close of business **5:00 pm, November 9, 2020**. The form can be found following the text of this Order.

SIGNED this 28th day of July, 2020.



Jeffrey C. Manske

JEFFREY C. MANSKE  
UNITED STATES MAGISTRATE JUDGE

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RUSSELL OEHRING, §  
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Plaintiff, §  
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v. § CASE NO. 6:19-CV-00444-JCM  
§  
SPIKE BREWING, LLC, et. al., §  
§  
Defendants. §

**NOTICE AND STATEMENT REGARDING CONSENT  
TO UNITED STATES MAGISTRATE JUDGE**

**Notice of a magistrate judge's availability.** A United States Magistrate Judge is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent. You may consent to have your case referred to a magistrate judge or you may withhold your consent without adverse substantive consequences.

**Statement regarding consent.** The following parties **DO** / **DO NOT**<sup>1</sup> consent to the jurisdiction of the United States Magistrate Judge to conduct all proceedings in this case including trial proceedings, entry of judgment, and post-trial proceedings.

Party:

Representative's Signature

Date:

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<sup>1</sup> Circle one.